

Evergreen Fire District
Board of Trustees
Meeting
Meeting Minutes
Regular Board Meeting of April 5th, 2021 – 6:00 pm

CALL MEETING TO ORDER:

Vice Chair DePaul calls the meeting to order at 6:18 pm.

TRUSTEES PRESENT: (quorum is present)

DePaul Brockman
Fallon Connolly

TRUSTEES ABSENT:

Verworn (resigned at March meeting)

RECOGNIZE PUBLIC IN ATTENDANCE:

Wayne Evert

EFD STAFF IN ATTENDANCE:

Chief Williams
Fire Marshall Ben Covington

PUBLIC COMMENT:

At this time, public may comment on any public matter that is not on the Agenda of the Meeting and that is within the jurisdiction of the District.

Wayne Evert states that there is an issue with a developer in Evergreen who is trying to build a 7-unit mobile home subdivision on South Cedar next to his own property. He states he has been 'battling with this guy for 2 or 3 years'. He states that the guy started hauling in fill a few years ago including into the wetland area. The County made the guy take the fill out of the wetland area and get a backfill permit for the rest but that he is still not in compliance. Wayne states that the fill was pushed 50 feet across his property line (which is fenced) as well as across the property line of Wayne's other neighbor. Wayne states it is the lowest pressure water line that Evergreen Water District has. Wayne states the guy tried to build storage units in the wetlands but he got the project shut down. He states the Planning Board told the guy there wasn't enough water and that he can't develop in the wetland area. Wayne states he owns 14 acres on this side of Spring Creek and 4 acres across Spring Creek. His 14 acres were being developed back in 2003 but buyers couldn't get water so they sold it back to Wayne. He states "This guy is trying to do an end-run around the fire department and the water department. He's been saying that he sent plans to the water department and the fire department. Both Water Department and Fire Marshall Covington received the incomplete plans on April 1st 2021 approximately 3pm." He states the plans are not in compliance with the County and that the guy has gone so far to say in the emails that Fire Marshall Covington has told him that the Fire Department can get the truck down through wetland next to the creek and draft water to fight fire on any of the mobile homes if any catch fire. Wayne states the property is over an embankment and down to a wetland area that was supposed to be rehabilitated and getting a truck within 30 feet of the creek is impossible due to brush and the creek is only about 8 inches deep with a gravel bottom and impossible to draft out of off the side of an engine; most likely damaging a very expensive apparatus. He states the guy went and asked DNRC if he could use the creek for fire suppression and was told they do it all the time if the creek is accessible. Wayne states the guy wants to put in a pump system; run a line down into the creek and maintain a fire protection system on the line that runs over to Meadow Manor that runs 140 gallons per minute. The NFPA states that it has to have 1000 gallons per minute for 2 hours and 'it's just not there' and would require water rights. Wayne also poses the question of 'Who would maintain and test it weekly if not monthly?' He states fire protection and fire suppression are 2 different things and that the Planning Department has repeatedly told the guy that his development will not work but the guy insists that it will and wants to push it through the Board of

Adjustments for an approval. Wayne states the Board of Adjustments isn't knowledgeable about fire protection/suppression. He tells the Board there is a meeting tomorrow night at Board of Adjustments with members of the Water Department planning to attend to explain the water issues. Wayne requests that a Board member(s) and/or Fire Marshall Covington attend the meeting as well to explain the fire requirements to the Board of Adjustments and to correct what he (Covington) did or did not tell the guy. Wayne states he has all of the emails regarding what has been told to all the different entities and that the information 'is filled with lie after lie' regarding what was said and by whom. Wayne states a big concern is that the mobile homes would be 'packed in there like sardines'. He states that the lot and mobile home sizes are incorrect and not even in line with County Zoning. Fallon states that any Board members or personnel who attend the meeting can speak only to what is the jurisdiction of the Fire District. Covington states that is why he didn't think it was necessary to be at the meeting. Fallon states that sometimes the written word may not always work and that attending in person is sometimes necessary and that both the District and Fire Marshall Covington are being misrepresented by the developer. Fallon states that the Board of Adjustments may or may not listen to the Planning Department and that is why there is a need for physical bodies to attend and reinforce 'what has already been put in black and white.'

FINANCIALS:

Discuss and approve February 2021 Financials (Action)

Fallon asks if the \$18,000 was transferred from Fund 7207 to Fund 7250. Covington questions the amount and states it is \$15,000. (*Correct amount is \$18,000*). Chief Williams asks Trustees to email their questions prior to the meeting so that he can answer them in advance. He states this is the reason the financials and meeting minutes of the prior board meeting are uploaded to Google Drive at least 48 hours prior to meetings. Chief Williams states the only exception being when the accountant has not gotten the reconciliations to Cheri until day of meeting. Covington asks if the transfer of money from 7207 to 7250 needs a motion due to being a recurrent transfer and already approved in the budget. Fallon asks what the \$115,000 transfers in and out are. Chief Williams states he could have had an answer for that if asked in advance. Fallon states that 4212 will require 2 months (Feb. and March) being approved because bank statements run mid-months (16th through 16th).

Motion; Fallon to approve February financials including 4212 for time periods ending Feb. 16th and March 16th with the rest of the financials being for the calendar month of February and accept the checks written; second by Brockman; motion passes by quorum.

PAST ITEMS/UPDATES:

(Approval of March meeting minutes was accidentally left off of the April Agenda.)

1. Wildland Revenue from \$58,000 to \$78,000 - December 7, 2020 meeting minutes (Action)

Chief Williams states that the correction to be made was to the wildland revenue amount due to monies that came in after the initial amount was recorded. The Board made a motion to reserve \$30,000 of that revenue for mental health counseling for personnel and then an additional \$20,000 in wildland revenue came in and the balance now needs to be addressed. Chief Williams suggests that moving forward with this FY budget; a sub account be developed under 'employee health and wellness' so that the \$30,000 does not have to go towards that specific service but could be used towards other 'health and wellness' programs such as physicals and etc. Connolly states he would not have an issue with Chief Williams's suggestion but doesn't want duplicated services with health benefits. Chief Williams states that the majority of personnel are not eligible for benefits. He tells the Board that he is moving towards requiring a physical as part of the hiring process and in his research, has found that both Kalispell and Whitefish (and other departments) have retained a physician who offers a discounted rate. Brockman states he would have already assumed that was part of being hired. Chief Williams states that the District is still behind on some industry standards with some policy still based on a volunteer department. He

states it would be very hard to recruit volunteers and require them to get a physical. *(During this discussion Fallon notices a typo while reading the December 2020 minutes where the motion regarding the \$14,000/\$30,000 transfers is made; \$14,000.00 is stated as \$1400.00 This correction has been made to the original signed copy of meeting minutes and sent to Monica at County as well as uploaded to Google Drive.)*

2. Update on employee manual

Connolly questions how the District can extend a probationary period longer than the 1 year stated. Chief Williams states that the attorney says the District can reserve the right to extend probation based on candidate assessments during the probationary period if candidate(s) fail to meet requirements or should need a leave of absence or whatever could develop during the 1 year period where there wasn't enough time to evaluate a candidate. A second scenario is a candidate not being able to make a required 'x amount' of calls during that set time frame. He states that there is a matrix of components; call volume, training attendance, educational/licensure. Brockman states it's legitimate if the candidate is given prior notice of the extension. Chief Williams states usually it is determined by the 6 month mark and would actually be rare to give an extension but is good to have the ability to do so. Fallon states he could only accept an extension based on a leave of absence. He states that due to the ample training opportunities and call volume that any issue for not being able to complete their probationary period would be a commitment issue. Connolly states his concern would be 'preferential treatment' in that one person would be offered an extension while another would not be. Fallon states a candidate should have 6 and 9 month reviews and 'the door closes on the 12th month.' DePaul states the reviews should be given 3, 6, and 9 months; 'why wait for 6 months for the first review.' Chief Williams states the District has to encompass 5 classes of employees including volunteers, PRN, and on-call. It would make sense to evaluate a paid employee at the 3 month mark but not for a volunteer and etc. Brockman asks if the 12 month probationary period is supported by other fire departments and Chief Williams states that it was modeled off of Big Fork, City of Kalispell, Whitefish. He states that at other departments the candidates remain as candidates for an entire year and then go before city council and have their badge pinning ceremony. A 12 month probationary period is typical in the fire service. If an employee of EFD is either promoted or demoted they will be given another 6 month probationary period. DePaul questions why an employee would be entitled to a ¼ of their sick pay if they quit. Fallon answers that it is state law because personnel are public employees. DePaul asks for clarification on how vacation time is calculated. Brockman states there is a 6 month probationary period and then after that period an employee will begin to accrue vacation time based on longevity. DePaul asks for clarification regarding social media policy and there not seeming to be any recourse if policy is not followed. Covington states it would be a violation for which there is a procedure. Chief Williams states he will vet the questions out with the attorney and asks if Fallon and Brockman can email questions regarding the handbook revisions within the next 30 days. Brockman states he can email by April 9th. Chief Williams states that the draft would have to be adopted by the Board and it would take another 30 days to be in effect for personnel.

3. Fire Chief Purchasing Authorization (Action)

Connolly asks if everyone received an email that he sent on Saturday prior to the meeting and all claim to not have received the email (*this item is tabled again*).

Brockman states the Board can still hear what Chief Williams is suggesting be done with the balance of the wildland revenue. Chief Williams states that CIP is now well-funded and the District has guaranteed income with money going into CIP. He states that the Board, through a motion in conjunction with the vehicle replacement program, authorized the expenditure of \$100,000 for an ambulance. He states an ambulance was found for \$45,000 which gives a balance of \$55,000 that he would like to go towards replacing a type VI wildland engine. He states that one of two current wildland trucks (2001 F-550) is a stick shift that only 3 personnel

know how to safely drive. Chief Williams states that the District is scheduled to be looking at purchasing another Type VI engine this budget year. He suggests combining the \$55,000 balance of the ambulance monies to the \$20,000 wildland revenue along with the \$14,000 and start looking now for a new brush truck instead of waiting until July and without spending any of the CIP funds budgeted to go towards this purchase. He reminds the Board that by July the District will be in the middle of fire season. He states this leads him back to the 'purchasing authorization' because it was already approved in the budget and asks if it still requires Board authorization. He states a vehicle has been identified which meets the needs of the District and can be purchased without using the budgeted funds already allocated in CIP. He states that everything would be removed from the existing truck and re-mounted on a new chassis. Brockman asks the cost of a new brush truck and Chief Williams's states that brand new would run between \$180,000 and \$250,000. He states the District would already have the 'very expensive' aluminum flatbed, as well as pump, tank, firefighting supplies, and tools. He states that as of this morning, a new vehicle was found (fleet vehicle) and the District could have a complete and brand new brush rig for \$80,000 (Dodge 5500, Type V). Brockman asks if there is anything that would need replaced or upgraded on the new rig and Chief Williams states nothing would be needed. Fallon states that in answering Chief Williams question regarding authorization; it requires a Board resolution authorizing the expenditure from 7250 (CIP) regardless of which fiscal year it is in or what budget it is for; requiring Board approval. Fallon states that money from anywhere else will also require Board approval because it's not an expenditure that has been contemplated in any budget. Connolly states that 'it kind of is.' Chief Williams states his point is that he is not asking for any more money, but that he is shuffling the excess to fund another item which is already on the vehicle replacement schedule. Fallon states anytime money is re-allocated it needs Board approval because an auditor will want to know who approved it. Chief Williams asks that the Board come up with a policy and procedure for re-allocation so everyone is on the same page and that he'd like to know what his parameters. Covington states his parameters for 7250 is that it has to be a motion or a resolution. Fallon states the differences are that one is operating expenditures and capital expenditures with the latter requiring Board approval with written representation requesting it. Chief Williams states he knows the difference between expenditures. *(Covington states he is leaving and exits the meeting)*. Chief Williams states Covington is frustrated and understands why because he (Covington) has been asked to do things far greater than himself to present things that are under his prevue for the budget and that there has been very little consistency. He states he doesn't want to get ahead of what Brockman and Connolly are preparing to address the issue but reiterates the need to have something in black and white for consistency in terms of presentation and/or an urgent situation. Brockman points out that Chief Williams will not always be Chief and his predecessor will need the guidance Chief Williams is asking for in black and white. Fallon states that if a board president does not understand the role then there will be frustrations. A board president who understands the role also understands that they have the latitude to 'okay' something knowing the rest of the board will pass a motion after the fact. He states those are the normal functions of a board president. Fallon reiterates a motion he suggested earlier in the discussion and states it is a simple route and will clarify the need to pass the motion.

Motion; Fallon to clarify December 7 meeting motion related to wildland fire updated revenue of \$78,000.00 instead of \$58,000.00; the allocation of the same to various expenditure categories of \$14,000 to 4212; \$30,000 for mental health; \$14,000 to wildland purchases and \$20,000 to 7250 (CIP); Second by Brockman; passes by quorum.

Motion; Fallon to approve the purchase of a wildland fire truck Type VI/V chassis to replace the existing manual wildland fire truck from 7250 and not to exceed \$80,000.00; Second by Connolly; passes by quorum.

4. FY 2020 Audit Update

Chief Williams reads an email from Cheri regarding audit status. JCCS sent a page and a half of a list of items with 75% of those items needing to come from the accountant. The auditor was out sick for several days and said he would get back in touch with Cheri the following week. A letter was drafted by JCCS for Fallon to sign that would allow JCCS to receive paperwork from the previous auditor, Don Davies. A letter is also required for JCCS to communicate with Ashley (accountant). It currently is not known who will be drafting the letter for Ashley.

PROPOSALS:

1. Inter-Facility Personnel – Revising IFT personnel to provide for local transports by hourly staff with long distance transports to continue as is. (Action)

Chief Williams explains that the proposal is to convert inter-facility personnel to hourly vs. mileage based plus pager pay. Currently, IFT personnel have 45 minutes to respond from home to Station 81 which is a cause for lost revenue due to losing more urgent transports. He states it is an IRS issue in terms of what is or is not emergent and requiring no less than 45 minutes for IFT personnel to report to Station 81. The only solution is to convert IFT personnel (some, not all) to hourly to remove the 45 minutes allowed for them to respond to the station. He states 3 transports were lost last week in Whitefish because they could not be staffed immediately. He states the delay was with a new employee classification and what would be offered and it took time for the attorney to vet out. He states that he and Covington came up with some rough numbers with Fallon present and they realized that it was actually less expensive for the District to employ personnel on an hourly basis (*spreadsheet illustration*). He states there is currently IFT coverage 24/7; 4 people; BLS (\$13.00 per hour start) and a Medic (\$17.00 per hour start). This is \$1.00 less than an entry level current employ and based on premise they are not responsible for fire calls and would be waived from fire requirements unless they chose otherwise. Shown on the spreadsheet is a column reading IFT Coverage 12/7 (12 hours per day and 7 days per week). Chief Williams states current call volume in the middle of the night does not warrant IFT personnel 24/7. A 12/7 schedule would follow the current shift schedule of 7AM and 7PM which is also approximately 87% of the district's call volume. Chief Williams states not all IFT personnel will be interested in converting to hourly as they will be paid less for some transports which will be anything that exceeds an approximated 100 mile radius which would mean from Station 81 and out 100 miles (Flathead County). He states anything over 100 miles would mean IFT personnel is taking a personal financial loss because as it currently based on mileage; the further you travel the more money you make. For example; no one is going to be interested in a Billings transport at \$13.00 an hour vs. 75 cents per mile (\$300 to \$400 per person). He states the proposal is for a short duration within the parameters of the Flathead Valley. The short distance transports make up roughly 60% of the call volume with the revenue coming from the long distance transports even though they are less frequent but are based on loaded transport miles; meaning there is no revenue until a patient is onboard. Chief Williams states that although this is listed as an action item on the Agenda, what he really wants at this point is for the Board to see and understand that the District would actually save money by the conversion. He states his concern is the District's ability to pay for the benefits that would be associated with the conversion. He states if the District doesn't do something sooner rather than later in being able to provide a more timely IFT service, he is very concerned that it will lose IFT revenue to someone else. Brockman asks what the additional cost in benefits would be. Chief Williams states it comes down to how many people accept the offer of conversion and what the hours would be and that the classification could be 'temporary' or 'seasonal'. He states that benefits could properly be offered to 2 to 4 employees, currently. He doesn't see the growth of the Valley declining any time soon; Covid numbers are declining but call volume is still going up. He states that the program has to fund itself as well as its benefits. (*Fallon explains revenue numbers and monthly averages on the spreadsheet*). He states average total expense each month for the past 8 months have averaged at \$158,000 per month leaving approximately \$12,000 each month in excess

revenue. He states 4 personnel; 2 basics and 2 medics at 12 hours per day; 365 days per year would cost \$262,000 with cost of benefits for the same running approximately \$30,000. He states there's \$12,000 for profit but each run covers its costs even with maybe 4 runs a day that have to be given up. Each of the 4 runs can take anywhere from 4 to 6 hours out of a 12 hour day. He states half (6 hours) of the day that may not have revenue to compensate those employees but at least half of the other 6 hours is compensated by the money they made in the 6 hours on runs. Fallon states there's more than enough money per run to cover time and a half on personnel and that he finds merit in giving it a try due to additional revenue that will cover the cost as well as the \$12,000 and considering the benefits would not put the District in a hole. Fallon states that one of the things Chief Williams was illustrating is that there is approximately \$50,000 that could be savings due to going hourly but ultimately comes down to the definition of hourly (within Flathead county) or outside of Flathead County (per diem). Fallon and Chief Williams agree that 2 IFT personnel (1 basic/1 medic) on 12/7 hourly conversion would be a good trial start but with 4 IFT personnel being the goal. Chief Williams's states there are definitely options in terms of the operations. Fallon asks if Pintler can speak with the vendor to get some kind of module adjustment to be able to code IFT's in and outside of Flathead County and that can generate a report showing the collected revenue. He asks if the individuals on the IFT crews can be identified separately in QuickBooks. (Fallon recites a motion he has prepared but it is not thought to be an active motion at this time) Chief Williams states that Pintler is currently in a serious 'battle' with the vendor due to serious ongoing IT issues that are actually impacting revenue. It's improbable that an additional report could be received at this time when there is already difficulty getting what is normally received. He tells Fallon he will ask when he speaks with Pintler tomorrow but there is a possibility that he will be changing vendors altogether. He states that the current vendor dropped 43 calls for the prior month that the District had to pay Pintler to manually input. The 43 dropped calls amounts to over \$100,000. Chief Williams states he'd like to give the current vendor a little bit more time to fix the IT issue because they have been the only one vendor offering the specific services/reports the District needs.

Motion; Fallon to revise the IFT Program to hourly pay as shown within Flathead County and keep the per diem arrangement for IFT's outside of Flathead County. The Flathead County IFT would be trial coverage for 12/7 for up to 4 personnel with a 6 month review of program revenue and expenditure to be October 30th, 2021; Second by Connolly; passes by quorum.

CHIEF'S REPORT:

Chief Williams states everything is up in volume. February is up 18 total calls for 2021 over 2020. Year to date shows 584 vs. 562 (2020). IFT's are up by 29 calls over 2020.

1. February 2021 Call Volume

A) Comparison Incident Count by Weekday/Hour (all zones) for February 2021

B) Comparison Incident Statistics for February 2021

Adjourn at 9:40 PM

The President of the Board of Trustees, as presiding officer of any meeting of the Board of Trustees, may close the meeting during the time the discussion relates to a matter of individual privacy; and, then, if, and only if, the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains; and, in that event, the meeting must be open.



Vice Chair Randy DePaul



Secretary Tony Brockman